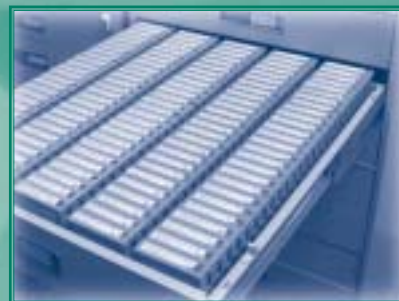


# **Michigan's Local Government Records Are in Danger!**



**Michigan Local Government  
Records Management Task Force**

**Michigan Historical Center  
Department of History, Arts and Libraries  
January 2006**

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STATE OF MICHIGAN

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DEPARTMENT OF HISTORY, ARTS AND LIBRARIES  
LANSING

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September 7, 2005

Good records management is good government. Government records are essential for protecting our rights as citizens and for holding our government accountable. They are also the bedrock of our social and economic systems. However, more resources are needed at the state and local level to ensure that these valuable records are properly managed and preserved. Records management can improve government operations so they are efficient, effective and economical. The end result is improved public service and a protection of the citizens' right to know.

The Michigan Local Government Records Management Task Force was formed to assess current local government records management practices in Michigan. The work of the Michigan Local Government Records Management Task Force was funded in part by a grant from the National Historical Publications and Records Commission (NHPRC) and was sponsored by the Michigan State Historical Records Advisory Board (MSHRAB).

This report challenges Michigan to take responsibility for ensuring that local government records are properly managed and preserved. While this challenge is great, I think it worthwhile. Michigan cannot afford to neglect its government records.

As Hurricane Katrina has demonstrated, disasters can strike at any time. "After the necessities are restored and people are housed and are provided with clean water and basic supplies, then people are going to try to re-establish their lives, and it's going to be very difficult to do without public records," said Susan Cooper, a spokeswoman for the National Archives and Records Administration in Washington, D.C. The recommendations made in this report will help ensure that vulnerable records that are created and maintained at the local level are protected.

Please join me in supporting this effort.

Sincerely,

A handwritten signature in black ink, appearing to read "William M. Anderson".

Dr. William M. Anderson, Director  
Michigan Department of History, Arts and Libraries

# Executive Summary

Michigan's local government records are in danger! Public records created and maintained by local governments document all aspects of human life. Essential for protecting our rights as citizens, they are the bedrock of our social and economic systems. Examples of these irreplaceable records include:

- Official real property records (deeds, plats)
- Criminal records (including unsolved case files and evidence used to prosecute criminals)
- Vital records (birth, death, marriage, divorce)
- Naturalization records
- Election records
- Court case files
- Zoning and planning records

Unfortunately, many local government records are at risk. For example, one local official reported that their records are stored in:

a back room lean-to that is lined in galvanized steel. Unfortunately most of the records prior to FY2000 are damaged by rodents, mold, water, etc. Right now the place is crawling with lady bug beetles. The township hall is not heated year round.

## We can protect Michigan's records!

The Michigan State Historic Records Advisory Board, supported by a grant from the National Historical Publications and Records Commission, established the Michigan Local Government Records Project to examine the current state of Michigan's local government records, to identify problems and to propose solutions that use state and local resources effectively.



In July 2004 the Michigan Local Government Records Task Force distributed an online survey to local government officials (see appendix). The purpose of the survey was to analyze whether local governments need records management assistance from the state of Michigan, and the possible ways to meet that need; 501 people responded. Four main areas of concern were identified during the survey:

- **Retention and Disposal Schedules:** Quality Retention and Disposal Schedules are the foundation of every records management program. All other activities are based upon the requirements defined by the schedules. Most local government agencies do not have comprehensive and up-to-date schedules to provide them with the direction they need.
- **Awareness and Education:** Approximately 85 percent of the survey respondents indicated that they need training about best practices for managing and preserving records.
- **Storage and Disposal:** Storage issues were cited as the top concern of local governments. Approximately 56 percent of the survey respondents indicated that they have a storage problem.
- **Preservation:** Many voluminous local government records must be preserved for long periods of time or permanently. These permanent records, which include land titles and birth certificates, are essential for protecting the legal rights of Michigan citizens. Without resources for the preservation of permanent records, Michigan history is at risk of disappearing.

Two agencies within the *Michigan Historical Center* work with local governments to manage and preserve records.

*Records Management Services* develops records Retention and Disposal Schedules, provides training, and administers master contracts for media storage, microfilming and document imaging services.

The *State Archives of Michigan* preserves and provides access to government records with historical value.

Some of these records are preserved at the State Archives' facility, and others are transferred to regional depositories around the state that preserve the records closer to the community in which they were originally created.



This white paper defines the scope of the problems and suggests solutions. One solution is to develop comprehensive Retention and Disposal Schedules for all local government functions. Another solution is to deliver strong and continuing education programs. If both of these solutions are implemented, the volume of records that will be retained by local governments should be reduced. However, state and local governments will still need to invest more resources in storing and preserving the records that are essential for supporting their administrative, legal, fiscal and historical work.

The State of Michigan Records Management Services surveyed other states about their local government records management programs, and 32 states responded, identifying three ways to fund such initiatives:

- **Direct Appropriation:** The Michigan Legislature could appropriate funds for providing a variety of services to local governments, including schedule development, education and grants to improve storage and preservation.
- **Filing Fees:** Local governments could collect a filing fee. A portion of the money collected would remain with the local government to fund records management activities. The remainder of the money would be deposited into a fund administered by History, Arts and Libraries. This money would be used to provide services for local governments, and to provide grants to local governments for one-time improvements to their records programs.
- **Service Fees:** Local governments could be charged for the services that they receive from Records Management Services and the State Archives of Michigan.

Every day, Michigan's citizens need and use the records created and managed by Michigan's 83 counties, 1,242 townships, 274 cities, 259 villages, and 553 school districts. Effectively meeting these needs will require a strong partnership between state and local government. It will also require new funding that is allocated directly to state and local governments for records management and preservation. It is time for Michigan to carefully consider the options for caring for its local government records. If we do not, we are in danger of losing the records that are essential to our democracy, our history and our economy.



## Acknowledgements

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The task force officially endorsed this report on September 14, 2005. The Michigan Historical Records Advisory Board officially adopted it on January 12, 2006.

### **Task force members who participated in the development of this report and endorse its statements include:**

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# Michigan's Local Government Records Are in Danger!

Public records created and maintained by local governments document all aspects of human life. They are essential for protecting our rights as citizens, and they are the bedrock of our social and economic systems.

Examples of these irreplaceable records include:

- Official real property records (deeds, plats)
- Criminal records (including unsolved case files and evidence used to prosecute criminals)
- Vital records (birth, death, marriage, divorce)
- Naturalization records
- Election records
- Court case files
- Zoning and planning records

**If Michigan does not take care of its local government records, they will not be available when people need them.**

Many local government records are at risk. For example, one local official reported:

Some older records are probably lost; until seven years ago there was no central office and officers kept records in their own homes. Those that are in existence were mainly stored in the attic of the old town hall, which was demolished last fall. Records were moved into the basement of the current office building—which flooded last summer (after records were moved in), and many were lost to flood waters.

In a survey that was conducted in July 2004 (see appendix), 56 percent of local government officials responded that storage space was the most critical record retention problem they faced. Local government officials were asked where they store their records. They responded by naming a variety of facilities (both good and bad), including: attics, basements, jail cells, sheds,

firehouses, historic village buildings, bathrooms, closets, pole barns, vaults, safes, off-site contractor facilities, garages, boiler rooms, old school houses, warehouses, cemetery chapels, beach front pumphouses, parking ramps and underground storage facilities. Good storage facilities require appropriate environmental and security controls to ensure the proper protection of the records.

Michigan government officials make difficult choices when they establish their spending priorities. In this fiscal environment, many are not able to spend scarce resources on the management and preservation of public records. However, there are serious consequences for government agencies and the public when government records are lost or destroyed.

## Records Make a Difference:

- A city with a centralized records management program was able to avoid the expense of millions of dollars by locating an insurance policy with no sunset date. This single document justified the cost of the records management program.
- A school district could not locate full documentation of contract negotiations for construction work, and was at a serious disadvantage when resolving disputes with the contractor.
- Another city had to evacuate a neighborhood when a work crew hit a gas line that was not documented on available maps.
- One property was sold twice before the Register of Deeds was able to process the paperwork; the title company would not fully insure the title.
- A former employee sued a county for failing to keep records that were needed to calculate retirement benefits.
- A police department was able to identify a suspect in a cold case because DNA evidence was properly maintained until technology existed for analyzing it.

Approximately 68 percent of survey respondents indicated that they were not aware of the state of Michigan's regulations for the use of microfilming and digital imaging as record reproduction technologies. Yet, many were using these technologies. If government officials are unaware of record retention laws and the impact that recordkeeping has on their operations, they might not assign ever-decreasing resources to fulfill records management responsibilities. It is not surprising that 25 percent of respondents indicated that they lack the resources they need.

In addition, 85 percent of respondents stated that they need to be educated about best practices to reduce inconsistencies among government agencies and to prevent neglect of records, and 76 percent of these respondents indicated that they need to learn the basics of records management in order to efficiently and effectively perform their jobs.

Retention and Disposal Schedules are the foundation of a good records management program. Schedules are legal documents that identify how long records must be kept to satisfy administrative, fiscal, legal and historical requirements. Schedules also identify when (and if) records should be destroyed, so they do not waste valuable space and become a legal liability to the creating agency. Unfortunately, most schedules available to local governments are incomplete and outdated. Developing quality Retention and Disposal Schedules is not a task that can be done in a person's "spare time." Quality schedules are the result of partnerships between professional records analysts and record creators.

## **We can protect Michigan's records!**

Strong state and local partnerships have always been essential to addressing records management and preservation issues. At the state level, Records Management Services, within the Michigan Historical Center, Department of History, Arts and Libraries, provides expertise and assistance to state government agencies that helps them manage records and information in the most effective, cost-efficient and legally compliant manner. Records Management Services assists state

government agencies by:

- Establishing, implementing and maintaining standards, procedures and guidelines for record keeping;
- Providing education, training and information programs to agencies regarding records management issues;
- Providing media storage, micrographics and document imaging services to agencies;
- Establishing Retention and Disposal Schedules for public records by appraising their administrative, fiscal, legal and archival value; and
- Providing storage and retrieval of inactive records at the State Records Center.

Records Management Services has the expertise, but no resources, to provide similar services to local governments.

The State Archives of Michigan (also an agency within the Michigan Historical Center, Department of History, Arts and Libraries) preserves government records created by state agencies that possess historical value. Again, no money is appropriated to preserve the historical records created by local governments. If the State Archives and Records Management Services are to provide services to local governments, funds need to be allocated to support these services.

At the local government level, conscientious officials strive to manage and preserve their records. Many do so without adequate storage facilities and resources. People who are new to their jobs may need extra training. All local government functions need good Retention and Disposal Schedules.

The Michigan State Historical Records Advisory Board established the Michigan Local Government Records Project to examine the current state of Michigan's local government records, identify problems and propose solutions. The work of this task force has been a good example of the value of collaboration to accomplish a common goal.



## Solutions

In a democracy, it is not an option to be careless with government records. As the citizens' record of government decisions and actions, government records are the basis of accountable, democratic government.

In our survey, the majority of local government officials responded that storage was their biggest problem. However, storage problems cannot be solved until Retention and Disposal Schedules and education programs are addressed. The Association of Records Managers and Administrators, International (ARMA) states that as a general rule, agencies will benefit from new Retention and Disposal Schedules as follows: 30 percent of records in an office will be identified for retention in the active office space, 30 percent of the records will be identified for low-cost off-site storage, and the remaining 40 percent will be authorized for destruction.

Quality Retention and Disposal Schedules are the foundation of every records management program because all other activities are based upon the requirements defined by the schedules. Therefore, the top priority must be the development of schedules for use by local governments.

Education is also a top priority, especially considering the number of local government officials with records management responsibilities and their turnover rates. Government officials need information about records management laws and requirements, and about best practices for implementing these requirements. Implementation could include the reorganization of filing systems, record reproduction, and other activities. Government officials want to ensure that their records are assets that facilitate the effectiveness and efficiency of their agencies.

The volume of records created and maintained by local governments is not going away. Improving Retention and Disposal Schedules and education programs will accomplish a lot, but we need to allocate new funding to local governments for record storage and for the preservation of those records that

have archival value.

## Solutions: Retention and Disposal Schedules

The Michigan Historical Commission Act (MCL 399.5) provides that all government records, state and local, must be listed on an approved Retention and Disposal Schedule that identifies how long the records will be kept, when they may be destroyed, and when certain records can be sent to the State Archives of Michigan for permanent preservation. All Retention and Disposal Schedules must be formally approved by the Michigan Historical Center and the State Administrative Board. Retention periods listed on approved Retention and Disposal Schedules have the force of law. There are two types of schedules that local government agencies may use:

- **General schedules** cover records that are common to a particular type of local government agency, such as a county clerk or a school district. General schedules may not address every record that a particular agency has in its possession. General schedules do not mandate that any of the records listed on the schedule be created. However, if a record is created in the normal course of business, the schedule establishes a retention period for it.
- Any record that is not covered by a general schedule must be listed on an **agency-specific schedule**. These schedules cover records that are unique to a particular local government agency. Agency-specific schedules always supersede general schedules. Agency-specific schedules only address the records of the agency named on the schedule. They may not be used by another agency.

*The Michigan Freedom of Information Act (FOIA) (Public Act 442 of 1976, as amended) defines **public records** as recorded information “prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.”*

## Case Study: Records Management Services Partners with LERMA and MSP to Revise GS #11

In November 2004, Records Management Services, the Law Enforcement Records Management Association (LERMA) and the Michigan State Police (MSP) began a project to revise General Schedule #11 for County Sheriffs, which had not changed since 1964. The revised schedule would cover county sheriffs, municipal and township police departments, and jails.

Records Management Services reviewed existing schedules and determined that 86 of the 554 law enforcement agencies in the state had approved agency-specific schedules. This caused significant inconsistency around the state. A professional records analyst visited two county sheriffs and three municipal police departments to conduct new record inventories; 123 unique records series were identified through this process. Of those 123 series, 90 series were not listed on previous schedules. The new inventories were compared with existing schedules and more than 50 current laws and procedures to identify appropriate retention periods for all records that would be listed on the new schedule. On the new schedule, each of the records series is clearly described with a couple of sentences that define the record's purpose and contents.

A draft of the new schedule was distributed to MSP and LERMA (over 200 members) for review and comment. All comments were reviewed for inclusion in the draft. The final version of the new general schedule was approved in August 2005, and is available online at <http://www.michigan.gov/recordsmanagement/>.

LERMA members are excited about the new general schedule. Revised retention periods will allow them to dispose of many voluminous records, and will promote statewide consistency. LERMA's president reported, "We did not have the resources that would be needed to revise the general schedule, and it would not have happened without the efforts of Records Management Services."



Developing quality Retention and Disposal Schedules is a collaborative process that requires dedicated personnel with records management experience working closely with equally dedicated volunteers who create and use the records on a daily basis. Much work needs to be accomplished before Michigan has all of the quality general schedules that local government officials need.

Of the approximately 30 county-level agencies that exist, only nine have approved general schedules available for use. Of these nine general schedules, six are more than 10 years old. A schedule that was developed in the 1960s bears little resemblance to current records. As a result, 90 percent of county-level agencies must use agency-specific schedules to address their record retention needs. Agency-specific schedules are not an effective solution to this problem. They generally do not comprehensively address record retention requirements and they can lead to inconsistent practices. Moreover, having multiple local government agencies prepare agency-specific schedules for the same types of records is not an effective use of state or local resources.

More than 47 percent of the respondents to our survey indicated that if they need to purge records that are not listed on a Retention and Disposal Schedule, they simply save the records instead of submitting an agency-specific schedule to address the problem. They are needlessly spending resources on storage. More than 19 percent indicated that they associate the unscheduled records with another category on their schedule to “authorize” the records’ destruction. Almost 5 percent of the respondents admitted that they destroy the records anyway. Since, as was stated above, it is illegal to destroy records without the authorization of an approved Retention and Disposal Schedule, this means that many local governments have a potential legal problem. If more quality general retention schedules were created and approved for use by local governments, most local government agencies would not need agency-specific schedules.

Approximately 30 county-level service areas, 20 municipal service areas, and 10 township service areas need general schedules. A

professional records analyst, whose primary responsibility was to develop general schedules for local government, could produce approximately six new schedules per year. In addition, if more resources were available, Records Management Services could train interested local government officials and professional associations on techniques for developing quality schedules.

## **Solutions: Awareness and Education**

Training is an area where state and local partnerships can be the most effective. Since the potential audience for training programs is so large, it is not practical to expect one group to deliver everything that is needed. Nevertheless, the messages from training programs must be consistent. Many groups and individuals have expressed an interest in working with the state to develop and deliver training programs. If these programs are successful, they will probably grow.

People learn in different ways. Some people respond better to one-hour presentations, while others need a full-day workshop. Some people will read e-mail newsletters, while others prefer paper. Some people will research the answers to their questions by searching Web sites, while others do not have easy Internet access. Some government agencies have funds available for travel and training, while others will only send employees to free events within their local area.



## Case Study: Records Management Services Trains Library Cooperatives to Train Librarians

In January 2005, General Schedule #17 for Public Libraries was approved. It was the first general schedule in Michigan for public libraries. The Library of Michigan and many libraries around the state collaborated with Records Management Services to develop the schedule. However, developing a Retention and Disposal Schedule is just the first step in building a sound records management program. People need to know that the schedule exists and the best practices to use when implementing it.

Michigan has more than 380 public libraries (680 including branches). Records Management Services does not have the resources required to educate the directors of all of these libraries, so, several techniques have been used to educate librarians about the new schedule.

- A records management manual for local governments, a frequently asked questions sheet and other guides are published on the Records Management Services Web site.
- Michigan has a strong library cooperative system; most public libraries belonging to one of the 13 cooperatives around the state. Education is a primary function of the cooperatives. Records Management Services conducted a “train the trainer” workshop for the cooperatives, so they could in turn educate their members. The cooperatives were given packets that could be copied and used during future workshops.
- Records Management Services delivered presentations at the annual conferences of the Rural Libraries Conference and the Michigan Library Association. Continuing education credits are available to librarians attending these sessions.

These techniques were all successful outreach tools. The challenge will be to continue to educate new librarians about records management.





Training is not a one-time activity. Some Training is not a one-time activity. Some education programs may address a broad range of introductory topics, while others may focus on a specific advanced issue. This is especially true in the 21<sup>st</sup> century because computers and technology are changing the ways that records are created, used, stored and managed. Training needs to be continuous, and it needs to provide progression from basic topics to advanced topics.

According to the Michigan Municipal League, the annual turnover rate for municipal clerks is approximately 10 percent. According to the Michigan Townships Association, the turnover rate for township clerks is at least 12 percent with every four-year term. These turnover rates demonstrate that there will always be a need for introductory training to educate new local government employees and officials. We cannot improve the management of local government records without addressing these issues.

Within each government agency, there are multiple layers of staff. Not all of these employees will have access to formal training. As a result, a hybrid education plan containing a variety of tactics is necessary to reach the widest audience. The Local Records Task Force recommends that:

- Presentations be delivered at the annual meetings of approximately 24 local government associations each year.
- Six workshops be held in regions throughout the state each year.
- Two train-the-trainer workshops be held annually for those interested in training local government officials about records management.
- Professional records managers visit every county at least once every three years to train county, city, village and township officials in that county.
- Records Management Services publishes manuals and guides online.
- Records Management Services provides articles for the newsletters of the various local government associations.
- Records Management Services standardizes training tools so they can be used by multiple

groups.

Currently, Records Management Services has the capacity to deliver presentations about introductory issues to approximately six associations each year, if these associations reimburse travel expenses. It does not conduct workshops or visit counties. In addition, it currently does not provide articles for the newsletters of the various associations. Yet, 85 percent of the respondents to our survey indicated that they are interested in receiving training. The same percentage responded that they have funding for training. However, the current level of staffing at Records Management Services is not sufficient to meet the volume of travel and training required to solve this problem.

## **Solutions: Record Storage and Disposition**

Storing and maintaining records is expensive. For example, the office floor space that is occupied by one cubic foot of records costs, on average, \$12 per year. In addition, filing equipment costs approximately \$50 per cubic foot. On top of those expenses are difficult-to-quantify labor costs to maintain records. The average records storage vendor charges a customer approximately \$7 per year to store a cubic foot of records (this does not include destruction costs). Agencies that are using the state of Michigan's master contract spend, on average, \$174 to convert one cubic foot of records to microfilm, not including the microfilm storage costs, and \$366 to convert one cubic foot of records to a digital image format, not including the cost of data maintenance and migration over time. Clearly, the decision to use microfilming or document imaging technologies cannot be cost-justified solely based upon storage issues. The record retrieval needs of the agency must be factored into the cost justification.

Private vendors are aggressively marketing document imaging products to local governments to solve their storage problems. However, document imaging technology is not a good solution for some records and can cause significant problems if it is used inappropriately. For example, records with long-term retention requirements and a low frequency of access are



generally better suited for microfilm because the migration cost for digital images is prohibitive. Government officials often do not know what questions they should ask to ensure that they are committing to a solution that really meets their needs. A variety of factors need to be considered when determining the best way to store records. For example:

- How long do the records need to be retained?
- What is the volume, and the annual rate of growth?
- How frequently are the records accessed?
- How is the information distributed?
- How many people use the records?
- What type of paper is used?
- How are the files organized?

New standards and best-practice documents related to microfilming and document imaging went into effect in August 2005. These tools should help state and local government officials effectively use record reproduction technologies.

Another issue that local governments need to address is electronic records management. Increasingly, government records are created and maintained solely using computers; no paper is generated. Electronic records must be retained in accordance with the provisions of a Retention and Disposal Schedule, just like paper records. However, maintenance of this data is far more complicated. Electronic records are hardware- and software-dependent, and as technology evolves, these records must be migrated to new technology to ensure that they remain accessible and usable for their full retention period. While data storage costs continue to drop, data maintenance and migration costs will continue to increase as the volume of data grows.

The best thing that local governments can do to address their storage problems is to regularly dispose of records that have fulfilled their retention requirements. However, disposal of paper is not free. Many local government records possess confidential or sensitive information, such as Social Security numbers, medical information, student grades and financial information. These records cannot be placed in trash or recycling

bins. The state of Michigan administers a competitively bid master contract with a vendor that can assure the confidential destruction of records, and this contract can be used by local governments. It costs approximately \$1.20 per cubic foot to destroy records using this contract.

Local governments need to locate quality storage space; they need to invest wisely in record reproduction technologies like microfilm and document imaging; and they need to preserve the documentary history of their local area. Records Management Services currently provides free consulting services to local governments about all of these issues, but it cannot fund these initiatives. Ultimately, local governments need the staff and funds that are required to address these problems.



## Solutions: Preservation

Approximately 5 percent of the public records that are created have permanent value. These records may have permanent value because they document the history of the local area; they may be essential for protecting the legal rights of citizens; or they may support the economic stability of the locality. For example, land titles are retained permanently to support future property transactions. Permanent records can be voluminous, and local governments frequently do not have sufficient resources to store and preserve them.

The State Archives of Michigan is responsible for identifying, preserving and providing access to Michigan government records that possess historical value. Records with historical value are identified on Retention and Disposal Schedules. Schedules either indicate that historical records must be retained permanently by the creating agency or they authorize the transfer of historical records to the State Archives after their administrative, fiscal and legal values have expired.

The State Archives takes custody of very few local government records. Some of these records are preserved physically within the State Archives' state-of-the-art facility in Lansing. Approximately 34 percent of local government records possessed by the State Archives have been transferred to regional depositories around the state of Michigan. Regional depositories are archival facilities (generally university archives) that have executed memorandums of agreement with the State Archives. These agreements define the responsibilities of both parties to ensure that the local government records are preserved and accessible to the public. The regional depository at Western Michigan University responds to approximately 1,000 requests annually to use the almost 4,000 cubic feet of local government records that are deposited with its archives program. The regional depositories currently receive no compensation for assisting the State Archives with the preservation and access of these records.

History is at risk of disappearing. The following options exist to address this problem:

- **Microfilm:** Permanent records could be microfilmed according to archival standards. However, most local governments do not have sufficient funding for microfilming projects. The state of Michigan could administer a fund (revenue source to be determined) that paid for the microfilming of archival local government records. If such a fund existed, the State Archives would take custody of the silver negative rolls, and both the State Archives and the creating agency would receive diazo duplicate rolls. The original paper could be destroyed. The State Archives would produce new diazo duplicate rolls for the creating agency from the silver negative rolls if their diazos were damaged.
- **Direct Depository:** The local government could transfer physical custody (but not legal custody) of the permanent records to a depository institution. A legal document, called a depository agreement, would be executed to define the terms and conditions of the deposit, to ensure that the records are preserved in a secure environment and remain accessible to the public. The State Archives could assist with the identification of suitable depository institutions, such as local libraries or historical societies, and the execution of the depository agreements.
- **Regional Depository:** The State Archives could take legal custody of the historical records, and then transfer physical custody to one of its regional depositories. However, the lack of compensation for the regional depositories makes many of them reluctant to accept new records. If funding existed for the regional depository program, it would be a stronger alternative and more archives would be willing to work in regions of the state that are currently underserved.
- **State Archives Custody:** For select historical records with low volumes and high research activity, such as naturalization records, the State Archives could accept both legal and physical custody. If local governments rely upon the State Archives to take custody of more records, additional storage facilities would soon be needed.
- **Agency Custody:** Some permanent records are not suitable for the above scenarios. The State Archives could develop a curriculum for educating local governments about in-house

preservation techniques.

## Legislation

Currently, a variety of Michigan laws cover records management and preservation requirements. However, these laws do not sufficiently address state and local government responsibilities for fulfilling these requirements. New comprehensive legislation is needed to ensure that Michigan government records are properly managed and preserved.

## Funding Options

Michigan's 83 counties, 1,242 townships, 274 cities, 259 villages, and 553 school districts need help with records management. The case studies in this paper illustrate the value of strong state/local partnerships. The collaborative nature of these projects contributed significantly to their success. If fact, they could not have happened without it.

Current funding levels at both the state and local level are not sufficient for effectively solving the problems that have been identified. At the state level, if Records Management Services and the State Archives were to implement solutions to effectively address Retention and Disposal Schedule and education issues, it would need four local government positions, costing approximately \$320,000 annually. These employees would be responsible for:

- Partnering with local government associations to write new general retention schedules for local government. In some cases, associations like the Michigan Townships Association will prepare and update the general schedules for their local government area; in other cases, associations will rely upon Records Management Services to develop and maintain the general schedules.
- Assisting local government agencies and associations with the development of general and agency-specific schedules by teaching schedule development techniques.
- Communicating with local governments about records management and preservation issues.
- Partnering with local government associations

on workshops and presentations for local government employees.

- Consulting about record-keeping system design, including microfilming and digital imaging applications.
- Assisting regional archival depositories with preservation of local government records.
- Assisting local government agencies with disaster preparedness and response.

At the local level, approximately 70 percent of the respondents to the local government survey indicated that they do not have adequate storage facilities for their records. To effectively solve their storage and preservation issues, local governments need new dedicated funds. Potentially, these funds could be used to provide a wide variety of services and assistance, such as file management, storage space, filing equipment, microfilming and document imaging.

Records Management Services surveyed other states about their local government records management programs, and 32 states responded, identifying three ways to fund such initiatives.

**1. Direct Appropriation:** Twenty-two of the states surveyed responded that their programs are funded by direct appropriations, or a combination of service fees and direct appropriations. In South Carolina, a state with less than half the population of Michigan, a direct appropriation funds four full-time employees who serve local governments and their associations. In Illinois, a state with 20 percent more people than Michigan, a direct appropriation funds eight full-time employees. A direct appropriation to the Michigan Historical Center would allow the state of Michigan to provide more services and financial support to local governments.

**2. Filing Fees:** Missouri, a state with approximately one-half the population of Michigan, uses a filing fee to fund its program. Recordors of Deeds collect a \$4 user fee for every document that is filed. Of this fee, \$2 is placed in a recorder's fund (not general revenue) to be used for local government record storage, microfilming and preservation; \$1 goes to the Department of Natural Resources Land

Survey; and \$1 goes to the State Archives for the preservation of local records. This fee raises approximately \$1.2 million annually for local government records management programs. That money is used to fund 26 full-time positions (22 records management field staff and four reference archivists), a re-grant program that annually awards up to \$400,000 in funds to an average of 65 local projects, a conservation laboratory that provides treatment services for all local government records in Missouri, a vault for environmentally controlled storage of security roll microfilm, travel expenses and supplies. Michigan needs to investigate the creation of a new filing fee or the re-direction of existing local government fees for the purpose of records management and preservation.

**3. Service Fees:** No state is relying solely upon service fees to fund its local government records management program. However, several states, including Arizona, Florida and Wisconsin, are using service fees to fund education programs, microfilming projects and records storage.

Michigan needs to expand state and local government partnerships to benefit local records management and preservation activities. The problems identified in this report have serious consequences, and solving them requires a direct allocation of funding at both the state and local government levels. It is time for Michigan to carefully consider the options for caring for its local government records. If we do not, we are in danger of losing the records that are essential to our democracy and our economy.





# Appendix

## Local Government Records Management Task Force Survey

In July 2004, the task force distributed an online survey to local government officials, and 501 people responded. The purpose of the survey was to analyze whether local governments need records management assistance from the state of Michigan, and the possible ways to meet that need. The following are summary statistics from the survey responses.

### 1. What type of government entity do you work for?

| Response                | Percentage of Respondents | Number of Respondents |
|-------------------------|---------------------------|-----------------------|
| County                  | 12.8%                     | 64                    |
| City                    | 31.9%                     | 160                   |
| Village                 | 4%                        | 20                    |
| Township                | 50.7%                     | 254                   |
| <u>School District</u>  | <u>0.6%</u>               | <u>3</u>              |
| Total Respondents       |                           | 501                   |
| (skipped this question) |                           | 0                     |

### 2. What department do you work for?

| Response                      | Percentage of Respondents | Number of Respondents |
|-------------------------------|---------------------------|-----------------------|
| Law enforcement               | 17%                       | 85                    |
| Administration/council        | 5.2%                      | 26                    |
| Clerk/register                | 73%                       | 365                   |
| Treasurer                     | 3.4%                      | 17                    |
| Superintendent                | 0.4%                      | 2                     |
| <u>Other (please specify)</u> | <u>1%</u>                 | <u>5</u>              |
| Total Respondents             |                           | 500                   |
| (skipped this question)       |                           | 1                     |

### 3. Are there people in your department responsible for coordinating any of the following activities (please check all that apply)?

| Response                    | Percentage of Respondents | Number of Respondents |
|-----------------------------|---------------------------|-----------------------|
| Inactive record storage     | 71.8%                     | 359                   |
| Off-site record storage     | 34.6%                     | 173                   |
| Record destruction          | 66.8%                     | 334                   |
| Microfilming and/or imaging | 24.2%                     | 121                   |
| Record retention policies   | 42.4%                     | 212                   |
| <u>None of the above</u>    | <u>19.8%</u>              | <u>99</u>             |
| Total Respondents           |                           | 500                   |
| (skipped this question)     |                           | 1                     |



4. Do you consider your inactive record storage facility/room to have adequate protection (security system, disaster plan, temperature and humidity controls, and/or fire detection and protection)?

| Response                | Percentage of Respondents | Number of Respondents |
|-------------------------|---------------------------|-----------------------|
| Yes                     | 29.8%                     | 149                   |
| No                      | 58%                       | 290                   |
| Do not have             | 5.2%                      | 26                    |
| <u>Do not know</u>      | <u>7%</u>                 | <u>35</u>             |
| Total Respondents       |                           | 500                   |
| (skipped this question) |                           | 1                     |

5. Do you have sufficient space to store inactive records?

| Response                | Percentage of Respondents | Number of Respondents |
|-------------------------|---------------------------|-----------------------|
| Yes                     | 48.8%                     | 244                   |
| No                      | 41%                       | 205                   |
| Desperate need          | 6.8%                      | 34                    |
| <u>Do not know</u>      | <u>3.4%</u>               | <u>17</u>             |
| Total Respondents       |                           | 500                   |
| (skipped this question) |                           | 1                     |

6. If the state of Michigan (Records Management Services) administered a facility that complied with best practices for records storage, would your department be willing to share in the cost of using this facility?

| Response                    | Percentage of Respondents | Number of Respondents |
|-----------------------------|---------------------------|-----------------------|
| Yes                         | 8.6%                      | 43                    |
| No                          | 31.6%                     | 158                   |
| <u>Interested, no funds</u> | <u>59.8%</u>              | <u>299</u>            |
| Total Respondents           |                           | 500                   |
| (skipped this question)     |                           | 1                     |

7. Does your department have a disaster prevention and response plan that addresses records issues?

| Response                | Percentage of Respondents | Number of Respondents |
|-------------------------|---------------------------|-----------------------|
| Yes                     | 13%                       | 65                    |
| No                      | 67%                       | 335                   |
| <u>Do not know</u>      | <u>20%</u>                | <u>100</u>            |
| Total Respondents       |                           | 500                   |
| (skipped this question) |                           | 1                     |

8. Does your department convert any of its records to microfilm?

| Response                            | Percentage of Respondents | Number of Respondents |
|-------------------------------------|---------------------------|-----------------------|
| Yes                                 | 17.4%                     | 87                    |
| No (skip question #11)              | 81%                       | 405                   |
| <u>Do not know (skip ques. #11)</u> | <u>1.6%</u>               | <u>8</u>              |
| Total Respondents                   |                           | 500                   |
| (skipped this question)             |                           | 1                     |

9. If you answered “Yes” to question #10, please tell us how is the microfilm produced?

| Response                     | Percentage of Respondents | Number of Respondents |
|------------------------------|---------------------------|-----------------------|
| In-house equipment and staff | 27.4%                     | 23                    |
| Service bureau/vendor        | 56%                       | 47                    |
| <u>Both</u>                  | <u>16.7%</u>              | <u>14</u>             |
| Total Respondents            |                           | 84                    |
| (skipped this question)      |                           | 370                   |

10. Does your department convert any of its records to digital images?

| Response                            | Percentage of Respondents | Number of Respondents |
|-------------------------------------|---------------------------|-----------------------|
| Yes                                 | 21.2%                     | 106                   |
| No (skip question #13)              | 76.6%                     | 383                   |
| <u>Do not know (skip ques. #13)</u> | <u>2.2%</u>               | <u>11</u>             |
| Total Respondents                   |                           | 500                   |
| (skipped this question)             |                           | 1                     |

11. If you answered “Yes” to question #12, please tell us how are the digital images produced?

| Response                     | Percentage of Respondentsz | Number of Respondents |
|------------------------------|----------------------------|-----------------------|
| In-house equipment and staff | 67.9%                      | 74                    |
| Service bureau/vendor        | 17.4%                      | 19                    |
| <u>Both</u>                  | <u>14.7%</u>               | <u>16</u>             |
| Total Respondents            |                            | 109                   |
| (skipped this question)      |                            | 347                   |

12. Are you aware of the State of Michigan’s regulations for the use of microfilming and document imaging as record reproduction methodologies?

| Response                | Percentage of Respondents | Number of Respondents |
|-------------------------|---------------------------|-----------------------|
| Yes                     | 32.4%                     | 162                   |
| <u>No</u>               | <u>67.6%</u>              | <u>338</u>            |
| Total Respondents       |                           | 500                   |
| (skipped this question) |                           | 1                     |

13. Does your department use the following documents?

| Response                  | Percentage of Respondents | Number of Respondents |
|---------------------------|---------------------------|-----------------------|
| General Schedules         | 50%                       | 250                   |
| Agency-Specific Schedules | 6.8%                      | 34                    |
| Both general and specific | 30.4%                     | 152                   |
| Neither                   | 9.4%                      | 47                    |
| <u>Do not know</u>        | <u>3.4%</u>               | <u>17</u>             |
| Total Respondents         |                           | 500                   |
| (skipped this question)   |                           | 1                     |

14. Do the Retention and Disposal Schedules (general and agency-specific) that are available to your department for use meet your needs?

| Response                | Percentage of Respondents | Number of Respondents |
|-------------------------|---------------------------|-----------------------|
| Yes                     | 79.1%                     | 370                   |
| <u>No</u>               | <u>20.9%</u>              | <u>98</u>             |
| Total Respondents       |                           | 468                   |
| (skipped this question) |                           | 33                    |

15. What do you do if you need to purge some records that are not listed on a Retention and Disposal Schedule?

| Response                   | Percentage of Respondents | Number of Respondents |
|----------------------------|---------------------------|-----------------------|
| Destroy the records anyway | 4.8%                      | 24                    |
| Save the records           | 47.3%                     | 236                   |
| Use a different category   | 19.6%                     | 98                    |
| Amend the schedule         | 7.8%                      | 39                    |
| <u>Do not know</u>         | <u>20.4%</u>              | <u>102</u>            |
| Total Respondents          |                           | 499                   |
| (skipped this question)    |                           | 2                     |

16. Would employees of your department be interested in attending training on the following topics (please check all that apply):

| Response                 | Percentage of Respondents | Number of Respondents |
|--------------------------|---------------------------|-----------------------|
| Basic Records Management | 76.1%                     | 370                   |
| Designing Filing Systems | 39.7%                     | 193                   |
| E-mail Management        | 29.2%                     | 142                   |
| Microfilming             | 17.3%                     | 84                    |
| Document Imaging         | 39.9%                     | 194                   |
| Electronic Records Mgmt  | 47.5%                     | 231                   |
| Disaster Preparedness    | 46.7%                     | 227                   |
| Forms Management         | 29.6%                     | 144                   |
| Vital Records            | 35.8%                     | 174                   |
| Elections Records Mgmt   | 49.2%                     | 239                   |
| Record Preservation      | 43.2%                     | 210                   |
| <u>None of the above</u> | <u>11.9%</u>              | <u>58</u>             |
| Total Respondents        |                           | 486                   |
| (skipped this question)  |                           | 15                    |

17. Does your department provide funding for training (travel/registration)?

| Response                | Percentage of Respondents | Number of Respondents |
|-------------------------|---------------------------|-----------------------|
| Yes                     | 84.6%                     | 423                   |
| <u>No</u>               | <u>15.4%</u>              | <u>77</u>             |
| Total Respondents       |                           | 500                   |
| (skipped this question) |                           | 1                     |

18. Have you ever received copies of the following documents (please check all that apply)?

| Response                      | Percentage of Respondents | Number of Respondents |
|-------------------------------|---------------------------|-----------------------|
| General Retention Schedules   | 85.3%                     | 417                   |
| Agency-Specific Schedule      | 19.6%                     | 96                    |
| E-mail retention guidelines   | 5.9%                      | 29                    |
| Electronic records guidelines | 5.3%                      | 26                    |
| Storage conditions guide      | 3.7%                      | 18                    |
| Rules for Imaging Systems     | 7.8%                      | 38                    |
| Microfilm guidelines          | 5.7%                      | 28                    |
| <u>None of the above</u>      | <u>14.5%</u>              | <u>71</u>             |
| Total Respondents             |                           | 489                   |
| (skipped this question)       |                           | 12                    |

19. Does your department use the Web to provide public access to government records?

| Response                | Percentage of Respondents | Number of Respondents |
|-------------------------|---------------------------|-----------------------|
| Yes                     | 35.5%                     | 177                   |
| No                      | 60.9%                     | 304                   |
| <u>Do not know</u>      | <u>3.6%</u>               | <u>18</u>             |
| Total Respondents       |                           | 499                   |
| (skipped this question) |                           | 2                     |

20. Does your department allow the public to submit records electronically?

| Response                | Percentage of Respondents | Number of Respondents |
|-------------------------|---------------------------|-----------------------|
| Yes                     | 14.4%                     | 72                    |
| No                      | 78.6%                     | 392                   |
| <u>Do not know</u>      | <u>7%</u>                 | <u>35</u>             |
| Total Respondents       |                           | 499                   |
| (skipped this question) |                           | 2                     |

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